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December 5, 2013

**VIA ECF**

The Honorable Robert W. Sweet  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re:   United States of America v. Julius Barnes, *et al.***  
**Case No. 12-Cr-671 (RWS)**

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Dear Judge Sweet:

I am counsel for defendant Brian Stubbs in connection with the above matter. I am writing on the consent of the government to request an adjournment of sentencing currently scheduled for December 10<sup>th</sup> at 2pm. This is the second request to adjourn sentencing. The first request was prompted by production of the draft PSR within the 35-day period under Federal Rule of Criminal Procedure 32(e)(2).

At this point, Mr. Stubbs requires a further adjournment because we are awaiting production from archives of a prior criminal case file from the New York County Criminal Court. We are told that the production should take another 4-6 weeks, at which time we will be able to properly address an important issue in the PSR that effects the client's criminal history calculations. Accordingly, I ask that the Court adjourn Mr. Stubbs sentencing to some time in or about February 1, 2014, to permit review the materials from archives and preparing his memorandum in aid of sentencing.

I want to thank the Court for its continued consideration of this matter.

Respectfully submitted,



Adam D. Perlmutter

The Hon. Robert Sweet

December 5, 2013

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Cc: AUSA Patrick McGinley (via email)  
USPO Jemmard Thomas (same)  
Brian Stubbs (via regular mail)